IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 8712-M of 2007

DATE OF DECISION : 02.04.2007

Ram Singh and another

.... PETITIONERS

Versus

State of Punjab

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. Mandeep S. Bedi, Advocate,
for the petitioners.

Mr. N.D.S. Mann, Addl. A.G., Punjab.

Ram Singh and his son Harpal Singh, apprehending their arrest in a non-bailable offence in case FIR No. 12 dated 26.1.2007 registered under Sections 324/326/506/34 IPC, registered at Police Station Kahnuwan, have filed this petition under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail.

On February 12, 2007, interim anticipatory bail was granted to the petitioners subject to their joining investigation.

I have heard counsel for the parties and have gone through the contents of the FIR as well as the order dated 6.2.2007, passed by Additional Sessions Judge, Gurdaspur, whereby bail application of the petitioners has been dismissed.

Counsel for the petitioners contends that in a cross version, petitioner No.1 Ram Singh, who is aged about 70 years, has received four injuries, out of which one injury is grievous. He further contends that as per the version given in the FIR, both the petitioners were empty handed and no injury has been attributed to them on the person of any injured. It is case of the petitioners that they have been falsely implicated in this case.

Counsel for the petitioners further states that in terms of the interim order dated February 12, 2007, the petitioners have joined the investigation. The State counsel does not dispute this fact and further states that the petitioners are no more required for further investigation.

In view of the above, without commenting on the merits, the interim bail, granted vide order dated February 12, 2007, is made absolute subject to the same terms and conditions.

Disposed of accordingly.

April 02, 2007 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**